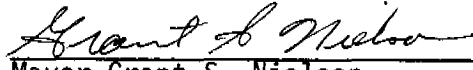
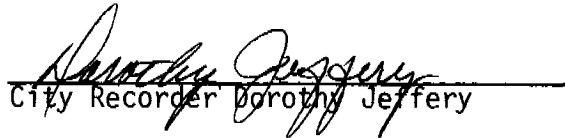


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Mayor Nielson asked if there were any further comments from the floor. There being none, the Mayor declared the Public Hearing adjourned at 7:05 p.m.

  
Mayor Grant S. Nielson

  
City Recorder Dorothy Jeffery

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MARCH 19, 1984

PRESENT

Grant S. Nielson  
Don Dafoe  
Neil Dutson  
Craig Greathouse  
Kjell Jenkins  
Ruth Hansen

Mayor  
Council Member  
Council Member  
Council Member  
Council Member  
Council Member

ABSENT

None

OTHERS PRESENT

Jim C. Allan  
Warren Peterson  
Dorothy Jeffery  
Sherri Terrell  
John Quick  
Wilford Jensen  
Glen Swalberg  
Ward Killpack  
Art Jeffery  
Leah Kauwe  
Brian Holman  
Klint Atkinson  
Shane Mitchell  
Dave Corey  
Craig Barrus  
Larry Tolbert  
Matt Corey  
Daniel Corey  
Jon Corey  
Ryan Mork  
Mike Reece  
Chris Stubbs

City Manager  
City Attorney  
City Recorder  
City Secretary  
City Engineer  
City Building Contractor  
Chamber of Commerce President  
Chamber of Commerce Member  
Chamber of Commerce Member  
City Resident  
Boy Scout Troop 141  
Boy Scout Troop 141  
Boy Scout Troop 154  
5th Ward Scouts  
Boy Scout Troop 154  
Boy Scout Troop 153  
Boy Scout Troop 144  
Boy Scout Troop 148  
Boy Scout Troop 148  
Boy Scout Troop 154  
Boy Scout Troop 154  
Boy Scout Troop 154

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Ken Billie  
Kevin Oliver  
Russel Shumway  
Jim Fletcher

Boy Scout Troop 154  
Boy Scout Troop 153  
Boy Scout Troop 153  
KNAK Radio Station

Mayor Nielson called the meeting to order at 7:06 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station, KNAK, and to each member of the governing body by personal delivery of copies of the Notice and Agenda two (2) days prior to the meeting.

MINUTES

The minutes of a Public Hearing held March 5, 1984, were discussed by the Council. Council Member Ruth Hansen MOVED to adopt the minutes as presented. Council Member Don Dafoe SECONDED the motion, which carried unanimously.

The minutes of a Regular City Council Meeting held March 5, 1984, were discussed and corrected by the Council. Councilman Don Dafoe MOVED to adopt the minutes as corrected and Councilman Neil Dutson SECONDED the motion. The motion carried unanimously.

The minutes of an emergency City Council meeting held March 12, 1984, were discussed and corrected by the Council. Council Member Don Dafoe MOVED to adopt the minutes as corrected and Council Member Neil Dutson SECONDED the motion. The motion carried unanimously.

ACCOUNTS PAYABLE

City Recorder Dorothy Jeffery asked if there were any questions regarding the accounts payable, which were included in the Council's packets. The Accounts Payable were as follows:

UP&L	Streets		25.10
SCHOLZEN	Water	Repair kits for hydrant	173.40
CTR FILTER	Streets	Air filter for dumptruck	30.61
EAGLE CO.	Police	Ties for uniforms	12.29
DALTON MOTOR	Police	Wreckage service	61.00
EAGLE CO.	Police	Uniform start-up	461.40
INTERSTATE	St/Wtr/Sw	Batteries	321.95
LOSEE LUMBER	City Bldg	Paint Supplies	113.99
COUNTY REC	Council	Diazo Plat	1.00
MONSEN ENGR	City Bldg	Storage tubes	9.17
MOUNTAIN STATE	Wtr/Sw/PD/Adm	Easel & Pads	154.90
PRO-ARMS INC	Police	Materials Savan Copier	60.00
UTAH COMM	Water	Pager Case	11.79
WEST SIDE GRD	Streets	Rock to maintain roads	480.00
ZIONS BK STR	Library	Books	19.51

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MOTOROLA	Police	Radios/Chargers	4,706.06
UP&L	Sewer	Pump	460.11
UP&L	FD		781.61
UP&L	SL		939.73
UP&L	SL		314.63
TOTAL			10,389.34

The Council reviewed the invoices of items with questions. Councilman Craig Greathouse MOVED to adopt the accounts payable as presented, including \$45.76 for petty cash and \$169.29 to Delta Auto. Councilman Don Dafoe SECONDED the motion, which carried unanimously.

#### APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

The minutes of the Public Meeting held February 9, 1984, were discussed and corrected by the Council. Council Member Kjeil Jenkins MOVED to adopt the minutes as corrected. Council Member Ruth Hansen SECONDED the motion, which carried unanimously.

The minutes of a regular City Council meeting held February 27, 1984, were discussed and corrected by the Council. Council Member Craig Greathouse MOVED to adopt the minutes as presented. Council Member Neil Dutson SECONDED the motion, which passed unanimously.

#### COMMUNITY DEVELOPMENT BLOCK GRANT MONEY STATUS

City Manager Jim Allan stated that the CDBG Board would meet on Wednesday to make a decision on distribution of block grant monies. He stated their decision would be based on the application submitted, with no further input from the applicant. One mayor and one commissioner from each of the six counties would attend the meeting. Mr. Allan stated Commissioner Harold Stewart and Fillmore City Administrator Dwight Day would represent Millard County at the meeting.

City Manager Allan explained there is \$65,000 available to entities within Millard County. Six County Representative Larry Hoover expressed the feasibility of Delta receiving CDBG money. Lynndyl and Fillmore cities are both applying for grant money, but, because they both have received grant money the past two years and Delta has not, Delta will be more favorably considered in its request.

City Manager Jim Allan stated he would meet with the County Administrator, so that Delta City's priorities would match those of Millard County's.

#### STATUS OF PAYMENT FOR UTAH POWER & LIGHT BILL FOR ELECTRICAL SERVICE AT THE WATER TANK

One of the general contract provisions for the Water Improvement Project, Phase II specifies that the contractor is responsible for power services until Delta City accepts the facility. City Attorney Warren Peterson

suggested that Utah Power & Light should pro rate the bill and send it directly to the contractor. If Utah Power & Light cannot bill the contractor directly, Delta City should forward it.

City Engineer John Quick noted that the City has since accepted the water tank facility, and, if it is required he would look up the date when it was accepted.

#### OPTIONAL CONCEPTS FOR SEWER LAGOON EXPANSION

City Engineer John Quick pointed out that there are 6 sewer cells at the Delta City Sewer Lagoons. The primary cell is 20 acres and the others are each 5.3 acres of surface area. Mr. Quick pointed out various problems with the present sewer lagoon system, e.g., the possible discharge of effluent within a week or more. Actions to resolve the situation and their implications were addressed. It was noted that enlargement of the sewer lagoons is an immediate necessity. Mr. Quick stated the preliminary plan to increase the sewer lagoon size stipulated an increase of 45 acres. This concept was based on a projected population size; however, with a population of 5500 people, which is the projected peak for the City while IPP is underway, there are a number of available options open to the City for the sewer lagoon expansion. These are as follows:

(1) NO ACTION. This would cause major odor problems and would exceed the State discharge requirements.

(2) TOTAL CONTAINMENT. This requires expanding the existing system with two additional cells and increasing the size of the lagoon from between 25 to 30 acre surface area. The cost is estimated to be \$818,500 for the expansion. A large part of the cost would be to reroute the gravel road adjacent to the sewer lagoon. Mayor Nielson pointed out that there is a possibility of closing the road, which would reduce the cost of this option considerably.

(3) SAND FILTERATION. The estimated cost for this option is estimated at \$380,000. Mr. Quick stated that the effluence may or may not have to be chlorinated. The waste water would percolate through the sand filters and discharge into the drainage channel. He stated this option would require every other day a workman to irrigate the sewer lagoon filters as well as the sand filters cleaned yearly. Mr. Quick stated there are two ways to minimize odor. First, make cell #2 a primary cell and discharge both #1 and #1 cells into #3 cell. This would increase the volume. Second, apply aeration to cell #1 so that there is no more than 40 lb. of biological oxygen demand (BOD) per acre. This could be achieved by blowing air through pipes placed at the bottom of the primary cell, or by placing 5 two horse power fixed floating aerators into the primary cell. Mr. Quick pointed out the possibility of renting or leasing the aerators. He stated the electrical power would be of some expense.

(4) PACKAGE TREATMENT PLANT. This option requires the adding of chemicals to the cells and running the waste water through a chemical plant. The

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estimated cost of the plant is \$410,000, with an additional \$37,000 required yearly for maintenance expenses. It was noted that this option still requires the aeration of the primary cell.

(5) IRRIGATION. In this option the effluent would be used for irrigation. The cost for this process is estimated at over one million dollars; however, the crop production or the sale of water should pay for the maintenance of the system.

City Engineer John Quick recommended the sand filtration option. He stated there is approximately eight hundred thousand dollars remaining for phase III of the Sewer Improvement Project to upgrade the sewer lagoon system, which should cover the cost for the expansion and improvement. Mr. Quick stated that the City needed to apply to the State of Utah for an EPA Discharge Permit before construction is started on the improvements.

Mayor Nielson suggested the matter be brought back at the next meeting to allow time for owners of adjacent property to be contacted to see if they are interested in selling their land. The Council concurred.

#### UPDATE ON DELTA CITY MUNICIPAL BUILDING

Mr. Wilford Jenson, contractor for the Delta City Municipal Office Building, stated the building would not be completed by April 10th as planned; however, it would be completed by the deadline of May 13th. He stated that bad weather and the death of the cabinetmaker has delayed the completion date.

Mr. Jenson stated the building is sealed off and the heaters are working. He reported on the progress and delays that have occurred and answered questions from the Council. He informed the Council that the electrical power transformer should be operable by the first part of May. The Council thanked Mr. Jenson for his report.

#### LEASE BETWEEN UNION PACIFIC RAILROAD AND DELTA CITY FOR AMTRACK SHELTER SITE

In order for the Amtrack train to stop in Delta, it is necessary for a shelter to be available for passengers. City Attorney Warren Peterson noted that the Council had agreed to lease space from the Union Pacific Railroad for the shelter. Mr. Peterson reviewed the lease agreement recently provided by the Union Pacific Railroad for the Amtrack Shelter Site with the present City Council. He pointed out certain City responsibilities under the lease, which are as follows: (1) pay an annual lease fee of \$200 which is due at the beginning of each year for five years, (2) pay utilities, (3) provide liability insurance coverage with a single combined limit of \$2,000,000.00, and (4) maintain the facility.

Chamber of Commerce President Glen Swalberg stated the Chamber would be responsible for the construction of the shelter. He also stated the Chamber was going to ask the County to pay the lease fee, if the City would be responsible for the insurance, electricity and maintenance of the Amtrack Shelter. The Council thanked Mr. Swalberg for the Chamber's enthusiasm.

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City Attorney Warren Peterson stated the lease agreement requires the City to be responsible for all the provisions of the lease; however, the County could pay the lease fees for the City.

Council Member Ruth Hansen MOVED to accept the lease agreement with Union Pacific Railroad for Amtrack Shelter space, to authorize the Mayor to sign the lease agreement and to increase the insurance coverage if needed. Council Member Don Dafoe SECONDED the motion, which carried unanimously.

#### ANNEXATION REQUIREMENTS FOR DEL PARK MOBILE HOMES

City Attorney Warren Peterson presented a plat of the proposed annexation for Del Park Mobile Homes. He pointed out that the parcel of land near the railroad tracks was proposed by the property owners to meet their dedication requirements. Attorney Peterson asked the Council if this parcel met their approval. The Council felt that the proposal was not acceptable.

Attorney Peterson made note that all requirements have been met for the annexation except the park dedication requirements. He asked the Council for directions in preparing the final annexation ordinance.

The Council discussed the possibility of a small park within the existing boundaries of Del Park. They agreed that the remaining park dedication requirements could be satisfied if the small park was expanded.

Mayor Nielson recommended to accept the small park idea and asked City Manager Allan and City Attorney Peterson to establish acreage and impact fees necessary to meet the impact requirements. He also stated the Council would decide the final park improvements.

Councilman Neil Dutson MOVED to authorize City Manager Allan and City Attorney Peterson to negotiate the park dedication requirements with the owners of Del Park, so that the maximum acreage would be obtained that could be improved with sprinkling system and sod as determined by the amount of acreage or capital contribution required under the 7% park dedication requirements for the annexation. Councilman Don Dafoe SECONDED the motion. Council Members Dafoe, Dutson, Hansen, and Jenkins voted in favor of the motion. Council Member Craig Greathouse opposed the motion. The motion carried.

#### UTAH POWER & LIGHT ELECTRICAL SERVICE AGREEMENT FOR THE DELTA CITY MUNICIPAL BUILDING

City Attorney Warren Peterson stated the City had received two separate contracts for electrical services at the Delta City Municipal Building. He recommended to delay adoption of the service agreement with Utah Power & Light until it could be determined which agreement UP&L wanted.

Council Member Neil Dutson MOVED to table consideration of the Utah Power & Light Electrical Service Agreement for the Delta City Municipal Building. Council Member Don Dafoe SECONDED the motion, which carried unanimously.

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SCHEDULE MEETING WITH RON RENCHER OF INTERMOUNTAIN POWER AGENCY

City Manager Jim Allan stated that Ron Rencher of Intermountain Power Agency would like to have a dinner meeting with the Council, Mayor, Attorney, and Manager for the purpose of public relations. It was agreed to hold the dinner meeting on Thursday evening, March 29, 1984, at 7:00 p.m.

DISCUSSION REGARDING THE DELTA CITY CLEAN-UP CAMPAIGN

City Manager Jim Allan stated the yearly clean-up campaign for Delta City needed to be set. The dates to hold the campaign were discussed and April 28 through May 4th were declared as the clean-up dates. Mr. Allan stated 3 trucks and 2 loaders would be available for the clean-up. He recommended the limbs be bundled for easier pick-up and that the media be notified of the campaign.

Delta Area Chamber of Commerce Member Art Jeffery stated that the Chamber would like to volunteer their help.

Mayor Nielson asked the Chamber to recommend a chairman.

OTHER BUSINESS

City Attorney Warren Peterson presented a map of the City and explained the proposed street vacation on 400 North in the Pendray Subdivision. Mr. Peterson explained that in 1983 the City Council had approved the concept of vacating 400 North Street on the condition that the survey be provided by Pendray Development so that the survey would be consistent with the survey of the adjacent Pendray Estates Subdivision. Mr. Peterson said he had received the survey description today. Two of the Council members thought the vacation had been completed. The new Council members were not aware of the prior discussion. Attorney Peterson explained the two optional procedures to vacate the street, which are: (1) Hold a Public Hearing which would have to be advertised for four consecutive weeks, or (2) Acquire petitions from all adjacent property owners. Mayor Nielson directed Attorney Peterson to pursue the street vacation and negotiate the coverage of the drainage ditch with Mr. Pendray.

Councilman Don Dafoe reported that Rayola Tolley of Rae's Draperies & Carpet had approached him regarding the business license she had been denied because of zoning regulations. Mr. Dafoe asked if she might be given a business license under the "grandfather provisions" of the zoning ordinance. The Council discussed the matter. City Attorney Warren Peterson stated that Mrs. Rayola Tolley was informed 2 years ago of the zoning requirements and was warned that her sales office could not be moved from the Central Business Zone and still be allowed to conduct business. Consequently, Mrs. Tolley's present situation does not comply with the zoning regulations, requiring either a zone change or discontinuance of operations.

The Council agreed she would have to be the one to apply for a zone change.

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Council Member Neil Dutson commented that no gravel for the streets had been delivered to 350 East and 300 South. He asked that this matter be looked into and resolved.

Council Member Kjell Jenkins discussed with the Mayor and Council the possibility of getting the Utah Department of Transportation to sweep Main Street.


Council Member Neil Dutson stated Bill Garrett had proposed to provide garden space in White Sage Subdivision for those without yards. Mr. Garrett requested water connection for irrigation. It was suggested that he use irrigation water. Mayor Nielson stated that under present water system bonding obligations and related requirements, Mr. Garrett would be required to provide the water dedication, the water meter, and pay for the water. Councilman Dutson asked that this matter be placed on th agenda for next week.

City Attorney Warren Peterson requested a closed session to discuss strategy on pending litigation. Councilman Don Dafoe MOVED to go into a closed session to discuss pending litigation. Councilman Craig Greathouse SECONDED the motion, which carried unanimously. They went into a closed session at 10:37 p.m.

Council Member Kjell Jenkins MOVED to return into an open session. Council Member Neil Dutson SECONDED the motion, which carried unanimously. They returned into an open session at 11:15 p.m.

Council Member Neil Dutson MOVED to adjourn the meeting. Council Member Kjell Jenkins SECONDED the motion, which carried unanimously. Mayor Nielson adjourned the meeting at 11:16 p.m.

  
Mayor Grant S. Nielson

  
City Recorder Dorothy Jeffery

MINUTES OF A PUBLIC HEARING HELD MARCH 26, 1984

PRESENT

Grant S. Nielson  
Neil Dutson  
Craig Greathouse  
Ruth Hansen

Mayor  
Council Member  
Council Member  
Council Member

ABSENT

Don Dafoe  
Kjell Jenkins

Council Member  
Council Member